

REMARKS

Claims 1-18 are currently pending in the application. Claim 1 is currently amended. Claims 4 and 15-18 are canceled. The amendment and new claims find support in the specification and are discussed in the relevant sections below. Now new matter is added. Upon entry of the amendments, claims 1-3 and 5-14 are pending.

Rejections Under 35 U.S.C. 112, Second Paragraph

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, for alleged indefiniteness. Claims 1, 15, 16 and 17 are rejected for their recitation of the term “stable hybrid.” The Office Action states that this is a relative term and the specification provides no basis for the determination of what would be considered a stable hybrid in the context of the instant invention.

Applicants have canceled claims 4 and 15-18, therefore, the rejection of these claims is rendered moot. Claim 1 has been amended to no longer recite the phrase “stable hybrid.” In addition, the amended claim 1 requires that the first region and the second of the antisense molecule compliment to sequences from two different genes, and that the target nucleic acid molecule contain the sequences from the two different genes that are contiguous or closely juxtaposed. The amendment is supported in the specification, e.g., Example 1.

Claim 7 is rejected for its recitation of the phrase “becomes energetically favourable.” Applicants have amended claim 7 to delete such phrase. Thus, the rejection is rendered moot.

Claim 18 is rejected for lack of antecedent basis for its recitation of “in said target or non-target nucleic acid.” Applicants have canceled claim 18, thus, the rejection is rendered moot.

Applicants, therefore, respectfully request the reconsideration and withdrawal of the indefiniteness rejections over claims 1-18.

Rejections Under 35 U.S.C. 102(b)

Claims 1-18 are rejected under 35 U.S. C. 102(b) as alleged being anticipated by Agrawal et al. The Office Action states that the ribozyme of Agrawal contains two regions targeting the same target which meets the requirement of claim 1 (e.g., in Figure 7 of Agrawal et al.), therefore anticipates claim 1 and its dependent claims 2-18. Applicants respectfully disagree.

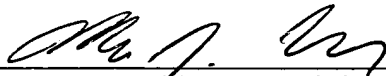
Applicants submit that claims 3 and 15-18 are canceled, thus, the rejection of these claims is rendered moot. Claim 1, as amended, requires that the first region is complementary to a first gene sequence and the second region is complementary to a second gene sequence, and the first and second gene sequences are contiguous or closely juxtaposed on the target nucleic acid molecule. It is clear that Agrawal et al. does not teach such limitation. Thus, Agrawal et al. does not anticipate claim 1, or its dependent claims 2-3 and 5-14, of the present invention.

Applicants respectfully request the reconsideration and withdrawal of the 102(b) rejections.

Applicants submit that in view of the foregoing remarks, all issues relevant to patentability raised in the Office Action have been addressed. Applicants respectfully request the withdrawal of rejections over the claims of the present invention.

Date: March 15, 2005

Respectfully submitted,



Name: Kathleen M. Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100

*Mark J. Fitzgerald
Reg. No. 45,928 for
Kathleen Williams.*